

RECOMMENDATION TO THE SECRETARY OF STATE ON
SECURING HIGH-RISK DIPLOMATIC FACILITIES

by
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Foreword

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MEMORANDUM FOR THE SECRETARY OF STATE
(Secretary John Kerry)
FROM: LEO C DORSEY
RE: SECURING HIGH-RISK DIPLOMATIC FACILITIES

Action Forcing Event

Recent attacks on US embassies, from Benghazi to Ankara, have exposed weaknesses in high-risk, high threat embassy and consulate security features.¹ State Department's Accountability Review Board (ARB) has released a report linking security failures with an inability to meet minimum security standards at new diplomatic posts, particularly in high-risk areas.²

Statement of the Problem

The threat of attack on our embassies has grown and is unlikely to subside in the wake of violent strikes in Kenya, Benghazi and the like over the past two decades.³ Among the obstacles, a Department of State report listed in 1998 that "195 (80%) of its overseas facilities did not meet security standards and should be replaced."⁴ Though Congress appropriated additional funding for security upgrades in response, State has only completed 80 to 90 new facilities since, leaving over 110 unfinished security upgrades, 15 of which exist within high threat areas.⁵ During the same period, from 1998 to 2012, 273 "significant attacks were carried out against U.S. Diplomatic facilities and personnel,

¹ Tiersky, Alex. "Securing U.S. Diplomatic Facilities and Personnel Abroad: Legislative and Executive Branch Initiatives." *Congressional Research Service*. May 7, 2014.

² Accountability Review Board (ARB) Report. *U.S. Department of State*. December 19, 2012.

³ "Significant Attacks Against U.S. Diplomatic Facilities and Personnel, 1998-2012." *U.S. Department of State, Bureau of Diplomatic Security*. July 2013.

⁴ Epstein, Susan and Tiersky, Alex. "Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues." *Congressional Research Service*. May 28, 2014. Pages 8 & 9

⁵ Ibid. Pages 8 & 9.

according to an independent report by the State Department.”⁶ Some believe that failure to address this problem in some manner will continue to put our diplomatic staff at risk.

The inability of the State Department’s (hereafter referred to as the Department) Bureau of Diplomatic Security (DS) to secure our embassies is the result of three challenges. First, DS is losing the competing battle between projecting visually pleasing, values inspired appearances at our embassies and the far more secure “fortress” style facility structure. The trend toward the former, which is currently supported by Secretary of State John Kerry and has been instituted since 2010, has resulted in less formidable defense systems at our diplomatic posts since the “fortress” style was initially promoted in 2001, according to DS.⁷

Second, the increase of high-risk, high threat diplomatic posts has not been met with a standardized risk management policy to evaluate the feasibility of so-called “expeditionary diplomacy” missions, a term referring to diplomacy at high-threat posts.⁸ This, coupled with the prevalence of security “waivers” for high-risk, high threat diplomatic compounds which do not fulfill minimum security standards has significantly increased the risk to our Foreign Service and ambassadorial personnel. U.S. special missions that existed under these waivers, such as Benghazi, are at increased risk following the events of the Iraq and Afghan war and the growth of non-state terrorist

⁶ Sullivan, Mark, and Todd, Keil and others. “Report of the Independent Panel on Best Practices.” *U.S. Department of State*. August 29, 2013. p. 13

⁷ Epstein, Susan and Tiersky, Alex. “Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues.” *Congressional Research Service*. May 28, 2014. Page 9

⁸ Cordesman, Anthony. “The Death of Ambassador Chris Stevens, the Need for “Expeditionary Diplomacy,” and the Real Lessons for U.S. Diplomacy.” *Center for Strategic & International Studies*. October 11, 2012.

And “Diplomatic Security: Overseas Facilities May Face Greater Risks Due to Gaps in Security-Related Activities, Standards and Policies.” *U.S. Government Accountability Office*. June 25, 2014.

actors.⁹ Failure to create a standardized risk analysis policy for the creation of high threat posts can instill a false sense of security on visiting diplomats and prevent an objective policy approach to protecting our facilities.

Third, a cyclical funding process has been blamed by such think tanks as *Stratfor* for a succession of security failures, particularly as congressional attention turns elsewhere years after a significant attack. The cyclical nature of funding can be viewed following the 1984 Beirut bombing, similar attacks in East Africa in 1998 and the Benghazi attacks of 2012 (see Table 1). Each has been followed by an Accountability Review Board panel finding of inadequate funding, followed shortly thereafter by an increase in congressional appropriations. Such congressional allocation patterns can be found in 2012 for Diplomatic Security (an increase of approx. \$1.5 billion) and for embassy upgrades in 2013 (increase of \$1.2 billion). Continued cycles of this nature virtually guarantee continued weaknesses in our overseas facilities, as it fails to consistently prioritize diplomatic security needs in the years following an attack.¹⁰

Combined, these weaknesses could expose the Department to future vulnerabilities. The rise of such groups as the Islamic State of Iraq and the Levant¹¹, ongoing turmoil following the Arab Spring¹² and current tensions with Russia¹³ all have the potential to endanger our diplomatic personnel at a moment's notice. Further inability to safeguard

⁹ Green, Graham Jr. and Melrose, Joseph Jr. and others. "Report on Diplomatic Security Organization and Management." *U.S. Department of State*. May 2013

¹⁰ Stewart, Scott. "The Benghazi Report and the Diplomatic Security Funding Cycle." *Stratfor: Global Intelligence*. December 27, 2012.

¹¹ "Syria Iraq: The Islamic State militant group." *BBC News*. August 2, 2014.

¹² Bishara, Marwan. "Year Four: The seasons turn on the Arab Spring." *Al Jazeera*. December 17, 2013.

¹³ "Statement by the President on New Sanctions related to Russia." *White House Office of the Press Secretary*. September 11, 2014.

our compounds will expose the Department to further scrutiny on the Hill and prevent our diplomats from carrying out vital missions in the field.

Table 1: Department of State Budget Allocations¹⁴
(Approximate cost in millions)

Fiscal Year	2008	2009	2010	2011	2012	2013	2014
Diplomatic Security	169	256	215	225	1,700	512*	175 (estimate)
Embassy Security, Construction, and Maintenance	1,500	2,600**	1,900	1,700	1,700	2,900	2,600 (estimate)

*(In 2013, funding for DS faced an 83 million dollar decrease. An additional \$6.2 million was shifted that year to a new “Worldwide Security Protection Program” to supplement DS)¹⁵

** (“FY 2009 Actual includes \$135.2 million for construction of overseas facilities for the United States Agency for

International Development as provided by the Omnibus Appropriations Act, 2009; \$41.3 million in bridge funding provided by the Supplemental Appropriations Act, 2008; and \$921.5 million provided by the Supplemental Appropriations Act, 2009, of which \$90.9 million is forward funding for FY 2010 requirements.”

Cost without additional funding- approx. 1,600 million.)¹⁶

History

Department security standards reform has evolved to what it is today in the aftermath of three significant attacks on our embassies, as well as the terrorist attacks of September 11, 2001. These embassy attacks include the 1983 Beirut bombings, the 1998 bombings in Kenya and Tanzania, and the most recent 2012 attacks on Special Mission Benghazi.

In each instance, the Department initiated an Accountability Review Board (ARB) to examine flaws in its embassy and consulate security infrastructure. The Department and

¹⁴ Congressional Budget Justification. Volume 1: Department of State Operations” *U.S. Department of State*. Fiscal Year 2008-2015 (each FY is contained within a separate report)

¹⁵ Congressional Budget Justification. Volume 1: Department of State Operations” *U.S. Department of State*. Fiscal Year 2015.

¹⁶ “Congressional Budget Justification. Volume 1: Department of State Operations” *U.S. Department of State*. Fiscal Year 2011.

Congress then initiated their own changes based upon the ARB. This cycle has led critics to believe that the Department and Congress should have made security alterations outside of these time frames, as failures to do so in the past have led to recurring vulnerabilities.¹⁷

The events of 9/11 had an additional, sweeping impact upon how our diplomats view acceptable risk.¹⁸ Following the attacks on U.S. soil, new reconstruction programs in Iraq, Afghanistan and Pakistan gained prominence and expanded the need for expeditionary diplomacy at high-risk embassies. This shift, which involved the “immediate transfer of 300 diplomatic positions from embassies in developed parts of the world to countries in need of transforming,” came to be known as “transformational diplomacy...derived from the administration’s ‘freedom agenda,’ which posited that any lack of freedom within other countries ultimately poses a threat to US security by creating the conditions for terrorism.”¹⁹

As part of this new shift, hundreds of diplomats were quickly shifted from developing countries to hardship posts such as “Baghdad and Kabul,” in order to promote “Provincial Reconstruction Teams and American Presence Posts” in co-operation with the Department of Defense, and expanded the role of high-risk expeditionary diplomacy in the Foreign Service.²⁰ These ongoing efforts to promote nation building, now overseen

¹⁷ Pickering, Thomas and others. “Accountability Review Board Report.” *U.S. Department of State*. December 2012. Page 3.

¹⁸ Hanson, Thomas. “The Traditions and Travails of Career Diplomacy in the United States.” *American Diplomacy*. Ed. Paul Sharp and Geoffrey Wiseman. Leiden: Martinus Nijhoff, 2012, Print. P. 206

¹⁹ Ibid p. 207

²⁰ Ibid p. 207

by the Bureau of Conflict and Stabilization Operations (CSO),²¹ have led to a significant re-shifting of diplomatic efforts to one of post-conflict revitalization and have expanded the need for diplomacy in high-risk areas.²²

In 1986, the substantial toll exacted upon our embassy in Beirut, Lebanon provided the impetus for the first ARB review of diplomatic security and risk assessment failure. The ARB board was headed by Admiral Bobby Inman, whose recommendations resulted in the “Inman Standards” for U.S. embassy facilities, a security standard still strived for today. However, these recommended standards, including a regular “setback” space between our embassies and their outer walls, were slowly phased out when congressional appropriations failed to meet the costs of a total security infrastructure shift.²³ According to a *New York Times* report, “the State Department estimated in 1986 that converting or replacing all embassies to meet the Inman standards would cost approximately \$3.5 billion.” But while the Department requested \$2.6 billion between 1986 and 1990, “Congress appropriated a total of about \$880 million.”²⁴ According to Jane Loeffler, author of *The Architecture of Diplomacy*, high-costs and the difficulties in designing and building new, more secure infrastructure, were in part to blame for the lack of enthusiasm from Congress. Consequently, “Congress and the Administration quietly drop[ped] the idea of modifying all embassies to comply with the Inman standards.”²⁵

²¹ “About S/CRS.” *U.S. Department of State Archive*. Accessed Dec. 8, 2014.

²² Grossman, Marc. “Diplomacy: Before and After Conflict.” *Prism*. National Defense University Center for Complex Operations. Prism 1, No. 4, Page 10 & 11

²³ “The Inman Report. Report of the Secretary of State’s Advisory Panel on Overseas Security.” *U.S. Department of State Archives*. 1985.

²⁴ Risen, James. “Bombings in East Africa: The Security Issues; Bombed Embassies did not Meet Toughened Security Standards.” *The New York Times*. August 8, 1998.

²⁵ Ibid.

However, Admiral Inman's report findings were soon promulgated into law with the *Omnibus Diplomatic Security and Anti-Terrorism Act* of 1986, which among other things, established that the ARB should meet after "security related incidents" involving significant destruction of property or loss of life, as well as establishing a Diplomatic Security Bureau.²⁶ In the years since the act was passed, 19 Accountability Review Board panels have met to review attacks of various scale.²⁷

The next major ARB was convened in 1998, after another major attack on our embassies, this time in Kenya and Tanzania. Headed by William Crowe, a former ambassador to the United Kingdom and Chairman of the Joint Chiefs of Staff under Bush Sr. and Reagan, the report focused on insufficient funding to meet the standards laid out by Admiral Inman from the previous report. In addition, the report pointed out that at the time "195 (80%) of its overseas facilities did not meet security standards and should be replaced."²⁸ A request for additional funding from Congress was laid out, and soon after the report's findings were made clear, the *Secure Embassy Construction and Counterterrorism Act of 1999 (SECCA)* was enacted with additional appropriations and a requirement that the Department report to Congress diplomatic facilities which required "major security enhancements" each year. In addition, the Office of Foreign Buildings Operations director was elevated to an "Assistant Secretary-equivalent Director/Chief Operating

²⁶ "Bill Summary and Status-H.R. 4418: Omnibus Diplomatic Security and Antiterrorism Act of 1986-(99th Congress 1985-1986)." *The Library of Congress, Thomas*. and Tiersky, Alex. "Securing U.S. Diplomatic Facilities and Personnel Abroad: Legislative and Executive Branch Initiatives. *Congressional Research Service*. May 7, 2014. Page 12

²⁷ Zakaria, Tabassum and Cornwell, Susan. "U.S. panel seeks accountability after Benghazi Attacks." *Reuters*. December 5, 2012 and Tiersky, Alex. "Securing U.S. Diplomatic Facilities and Personnel Abroad: Legislative and Executive Branch Initiatives. *Congressional Research Service*. May 7, 2014. Page 12

²⁸ Tiersky, Alex. "Securing U.S. Diplomatic Facilities and Personnel Abroad: Legislative and Executive Branch Initiatives. *Congressional Research Service*. May 7, 2014. Page 8

Officer” and the office changed in name to the Bureau of Overseas Building Operations (OBO).²⁹

It was at this time that OBO instituted a “Standard Embassy Design (SED)” structure for expediently updating diplomatic facilities. SED incorporated a framework of using “pre-engineered design feature[s],” each separated into “small, medium and large” size and incorporating set security features such as the “high fences and 100-foot setbacks.” The features of these SED facilities closely embodied the principles of the 1998 ARB in its desire to place security over “historic or symbolic importance.” These “fortress style structures,” as they came to be known, met swift criticism and were soon replaced by the adoption in 2010 of a new concept in government architecture, termed “Design Excellence,” a program which blends security concerns and accessibility within host nation cities.³⁰

But, as noted earlier, efforts to transition to either SED or Design Excellence (DE) security standards has so far not resulted in fully-updated overseas facilities. This is demonstrated by the number of posts updated since the 1998 ARB report, at which time 175 (80% of total) structures were identified as not meeting security standards. Among these, only 80 to 90 have since been updated, and 15 remain labeled as high threat. This presents a concerning trend considering current tensions in the Middle East. At present, the Department of State lists its travel alert at “Worldwide Caution,” warning all

²⁹Ibid. Page 8

³⁰ Ibid. Page 9

American travelers of the potential for kidnappings or attacks from Al-Qaida and its affiliates on nearly all of the world's continents.³¹

The September 2012 attacks on Benghazi caused a third evaluation of embassy and consulate security standards. Among other things, the Benghazi mission was faulted for possessing "temporary" status, allowing it to exist without minimum security standard requirements of any kind. In addition, a Department security panel report pointed to a lack of a systematic risk analysis formula at high threat posts, which would allow it to analyze and assess the cost as well as benefits of traveling to such temporary facilities.³² In addition, the panel recommended that minimum security standards be put in place for facilities which have little hope of fully meeting the Inman standards.³³

The 2012 ARB report further criticized Congress for not maintaining consistent funding support for worldwide embassy security upgrades despite repeated attacks and requests for aid by past ARB reports. To remedy the shortfalls, and in light of tight congressional budgets, the 2012 Board recommended that Congress institute a "Capital Security Cost Sharing Program," which requires all agencies using diplomatic facilities to contribute to its security costs, with funding prioritized toward embassies and consulates under high threat.³⁴

³¹ Tiersky, Alex. "Securing U.S. Diplomatic Facilities and Personnel Abroad: Legislative and Executive Branch Initiatives." *Congressional Research Service*. May 7, 2014. Page 10 and "Travel Alerts and Warnings." *U.S. Department of State: Bureau of Consular Affairs-US Passports and International Travel*. Last Updated: April 10, 2014.

³² "Report of the Independent Panel on Best Practices." *U.S. Department of State*. Washington D.C., August 29, 2013. Page. 8, 12& 28 and Pickering, Thomas and others. "Accountability Review Board Report." *U.S. Department of State. December 2012*.

³³ Epstein, Susan and Tiersky, Alex. "Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues." *Congressional Research Service*. May 28, 2014. Page 18

³⁴ Pickering, Thomas and others.. "Accountability Review Board Report." *U.S. Department of State. December 2012*. Page 9

Following the 2012 ARB recommendations, both chambers of Congress proposed changes to the Department's security framework based closely on the ARB report's findings. Legislation in the 113th Congress regarding embassy security after Benghazi has taken two forms, and is included here due to its relevance to this recommendation's final proposal. At present, there are two pieces of legislation related to funding for embassy security upgrades under discussion in the 113th Congress. The first, House Resolution 2848, the *Department of State Operations and Embassy Security Authorization Act*, contains requirements that the Secretary regularly updates Congress on their justification for opening or continued use of temporary and non-temporary facilities in high-risk, high threat areas.³⁵ The act would also require that the Secretary seek forth an "emergency action plan includ[ing] the threat from complex attacks, and...rapid response procedures to include options for deployment of military resources." The act further stresses support for the "Capital Security Cost Sharing Program," while asserting that additional funds allotted from the program be prioritized toward high-risk, high threat posts. Finally, among other things, the act requires that "key personnel" be placed at high-risk posts to ensure that future attacks may be foreseen and makes alterations to the bidding standard for "local guards and security agents," so that local security is chosen based on best value standard, as opposed to a lowest price standard alone.³⁶

³⁵ "H.R. 2848- Department of State Operations and Embassy Security Authorization Act: 113th Congress (2013-2014)." *Library of Congress*. Accessed September 2014 and Epstein, Susan and Tiersky, Alex. "Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues." *Congressional Research Service*. May 28, 2014. Page 12.

³⁶ "H.R. 2848- Department of State Operations and Embassy Security Authorization Act: 113th Congress (2013-2014)." *Library of Congress-Congress.gov*. Accessed September 2014

Variations on the proposed changes suggested by H.R. 2848 can be found in a second piece of legislation currently proposed in the Senate. Senate bill 1386 *Embassy Security, Threat Mitigation, and Personnel Protection Act* would authorize a similar priority toward high-risk, high threat security upgrades from the Capital Security Cost Sharing Program. In addition, S.1386 emphasized a need to train diplomatic personnel on security procedures at high-risk posts, and, like its House counterpart, requires the Secretary to report to Congress on the opening and continued use of diplomatic facilities in high threat areas around the globe each year.³⁷ Alterations to the standards for contract bidding have also been provisioned to include a higher criterion for accepting local security protection proposals.³⁸

Both pieces of legislation have addressed aspects of the three problems laid out at the beginning of this memorandum. To address chronic security shortfalls, Congress and the Department have resorted to an increase in cost sharing, embodied within the Capital Security Cost Sharing Program. To address risk analysis, the ARB report and Congress's legislation contain references to forming a risk assessment program or a contingency plan in the event of an attack on our embassies, though neither specifies what form such a program would take. While neither recommends actions against waivers, both recommend or include provisions that the Secretary regularly update Congress on the use of waivers at high threat posts. And finally, while recommendations on increased funding are proposed by both Congress and the ARB, neither has addressed the merits of SED security structures versus Design Excellence. This may be, in part, a result of

³⁷ "S.1386- Embassy Security, Threat Mitigation, and Personnel Protection Act of 2013: 113th Congress (2013-2014)." *Library of Congress*-Congress.gov. Accessed September 2014.

³⁸ Ibid.

Special Mission Benghazi's status as a temporary facility, rather than a SED or Design Excellence Structure.

A more detailed investigation of risk analysis policy at high threat posts, cyclical funding and the Design Excellence program is necessary for a long-term strategy to combat security vulnerabilities at diplomatic posts. As a result, the next section, "background," will provide a more systematic analysis while delving into the costs and benefits of sustaining current policy on these issue areas.

Background

The State Department's Diplomatic Security arm remains the chief player and stakeholder in the security of embassy personnel and its facilities overseas. With approximately 5,200 direct hire and contracted workers, including 2,000 agents, the section overseas approximate 275 diplomatic posts. Further complicating its mission are the 150,000 State Department employees, locally engaged staff (LES), and their family members, all of whom fall under the direct responsibility of DS personnel.³⁹

Fortress Embassies

It is little wonder then that DS has expressed concern over the growing threats to U.S. embassies, concerns which have grown since 1998, when bombings in East Africa occurred at diplomatic posts which had not been designated as high threat. Similarly, concerns arose when rumors of a threat caused the closing of 19 diplomatic posts in the Middle East and North Africa in 2013, of which "only four of the 19 were designated as

³⁹ Sullivan, Mark, and Todd, Keil and others. "Report of the Independent Panel on Best Practices." *U.S. Department of State*. August 29, 2013. Page 2 and Green, Grant, and Melrose, Joseph and others. "Report on Diplomatic Security, Organization and Management." *U.S. Department of State*. May 2013. Page 15

high threat.”⁴⁰ Such attacks on non-high threat posts causes serious consternation amongst DS personnel, as it fights to place security above aesthetic appeal at our over 275 diplomatic posts worldwide.⁴¹

But DS has been losing the battle between appearance and security as the Design Excellence program has gained traction since 2010. By attempting to blend security with American values and openness, the Design Excellence program has grown in popularity with the current administration and many Foreign Service Officers (FSOs) in the field, who believe diplomacy, rather than security, should be our top priority.⁴² However, in addition to critics at DS, the program has faced similar criticism from members of Congress. Representative Jason Chaffetz (R-UT) of the Committee on Oversight and Government Reform has been one of these critics, raising concerns about the expediency of the new program as well as the costs. Chief amongst his concerns is whether the new Design Excellence program’s security features will actually be more successful at protecting our diplomatic facilities.

Unfortunately, as a relatively new program, there is little data to compare the two in terms of their ability to deter attacks.⁴³ Nor is it possible to calculate the number of attacks thwarted by the existing security features of the SED program. A more common comparison, however, has been the increased time and costs of the DE program versus

⁴⁰ Sullivan, Mark, and Todd, Keil and others. “Report of the Independent Panel on Best Practices.” *U.S. Department of State*. August 29, 2013. Page 2

⁴¹ Epstein, Susan and Tiersky, Alex. “Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues.” *Congressional Research Service*. May 28, 2014. Page 4

⁴² Burton, Fred and Stewart, Scott. Counterterrorism funding: Old Fears and Cyclical Lulls.” *Stratfor*. March 18, 2009.

⁴³ Loeffler, Jane. “Beyond the Fortress Embassy.” *The Foreign Service Journal*. December 2012. Page 26

SED, which concerned critics argue should be our main concern, as many diplomatic facilities remain badly in need of expedient security upgrades ⁴⁴

Security experts such as Grant Greene, former Undersecretary for Management at the Department and author of a recent State internal report on security, comment that "if it takes longer it's going to cost more, and if it costs more and takes longer it puts people at risk out there who are waiting for their embassy to be built," Green said. ⁴⁵ Green and other critics have also pointed to the Standard Embassy Design program as being far more expedient in building newer, more secure embassies, particularly in light of "DS's already overloaded...task [schedule]." ⁴⁶ The internal report further stresses that using Standard Embassy Design in numerous countries, with its small, medium and large structure of architecture, makes it easier to formulate counter-attack measures, "co-locate" facilities in one location to save on costs and train maintenance personnel who would otherwise be forced to maintain buildings of various size, structure and dilapidation. Using various design structures in different countries, the report says, not only takes additional time and resources, but can make defensibility far more arduous, particularly in congested cities. ⁴⁷

Costs have also become a major concern. After visiting a number of new embassy sites, such as the new U.S. embassies in London and Papua New Guinea, still underway as of 2014, Rep. Chaffetz discovered that both quickly surpassed cost estimates under the new program. In the case of Papua New Guinea, costs have launched from an estimated

⁴⁴ Tiersky, Alex. "Securing U.S. Diplomatic Facilities and Personnel Abroad: Legislative and Executive Branch Initiatives." *Congressional Research Service*. May 7, 2014. Page 10

⁴⁵ Ibid and "Are Modern U.S. Embassies Becoming Too Costly to Build?" *CBS News*. June 4, 2014.

⁴⁶ Green, Grant, and Melrose, Joseph and others. "Report on Diplomatic Security, Organization and Management." *U.S. Department of State*. May 2013. Page 21

⁴⁷ Ibid page 21

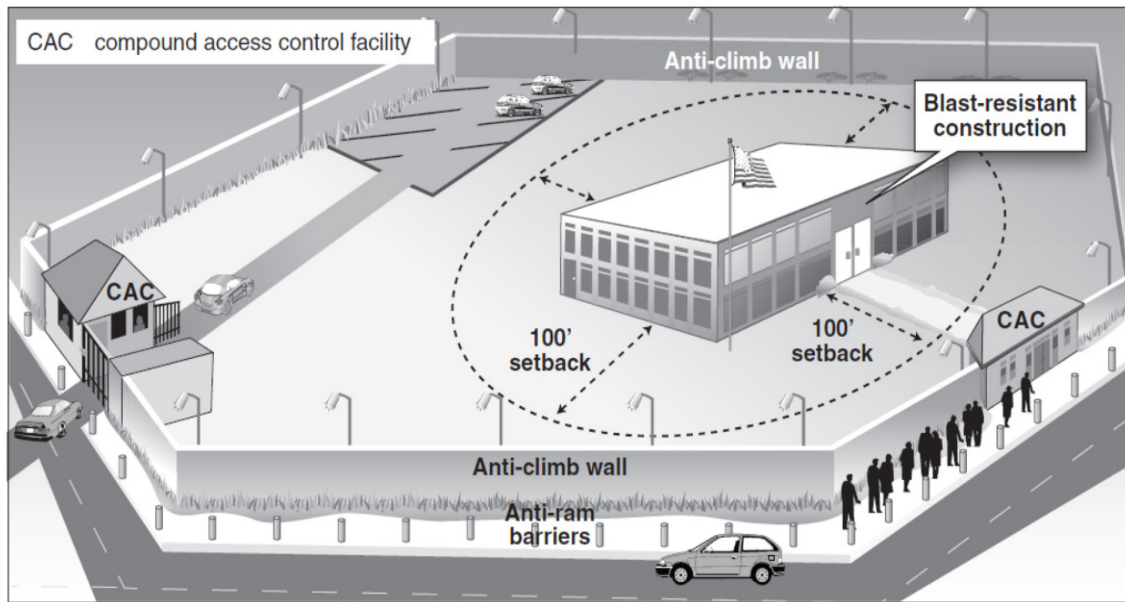


Figure 1: Example of Standard Security Features⁴⁸

\$50 million to \$211 million.⁴⁹

According to DS and State’s Office of the Inspector General, security officials receive over 1,000 threats each year, while “50% of all posts [are] considered “critical” or “high” under the terrorism category of threat assessment.”⁵⁰ In such circumstances, as Rep. Chaffetz put it, “we don’t have time to make sure that the building and the flowers look

⁴⁸ “Audit of Department of State Compliance With Physical and Procedural Security Standards at Selected High Threat Level Posts.” *U.S. Department of State and the Broadcasting Board of Governors, Office of Inspector General*. June 2013. Page 6.

⁴⁹ “Are Modern U.S. Embassies Becoming Too Costly to Build?” *CBS News*. June 4, 2014.

⁵⁰ Epstein, Susan and Tiersky, Alex. “Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues.” *Congressional Research Service*. May 28, 2014. page 6 and “Review of Best-Value Contracting for the Department of State Local Guard Program and the Utility of Expanding the Policy Beyond High-Threat Posts in Iraq, Afghanistan, and Pakistan.” *United States Department of State and the Broadcasting Board of Governors Office of Inspector General*. Feb. 2012 Page 7

more pretty. We have to make sure that these people are safe and secure and can do their jobs.”⁵¹

Risk Management

Upon the recommendations of State Department’s Accountability Review Board report, a panel of security experts convened to form their own report on weaknesses and areas for improvement at Diplomatic Security. Among its recommendations, the panel listed “no formal risk management model in place for the use by either DS or the Department” as an area of serious concern, as “managers very logically tend to be risk adverse” without a risk management system, particularly at high threat posts. The report further points out that “where risk management is not mainstreamed and understood by program and security managers across an organization, security is seen as an impediment to mission accomplishment rather than as an operation enabler.”⁵²

To demonstrate, the report lists Special Mission Benghazi as a prime example of where risk management could have saved lives. In such circumstances, when “Inman [standards for security] and [the] Overseas Security Policy Board (OSPB) standards cannot be met either in the short term or ever, [policy has] been to define missions, such as Benghazi, in such a manner (special missions, temporary facility) that they are not required to meet...[Department] standards.” Such policies, the report notes, has led to waivers becoming “commonplace,” leading to “an unacceptable level of risk.” This has been particularly the case, the panel suggests, as the level of risk is not weighed using a risk

⁵¹ “Rep Jason Chaffets says the Embassy “Design Excellence” initiative is Mismanaged and Puts U.S. State Department Officials in Danger.” *CBS News*. June 4, 2014.

⁵² Sullivan, Mark, and Todd, Keil and others. “Report of the Independent Panel on Best Practices.” *U.S. Department of State*. August 29, 2013. Page 8

management formula, preventing a comparative risk scale for sites more dangerous than others.⁵³

Similar concerns were voiced in a 2013 internal memorandum from the Department's Office of the Inspector General regarding the use of waivers. The memo raises concerns that Diplomatic Security does not "regularly review waiver approvals to determine if they are still active," but maintains records of the over 1,000 waiver "exceptions...dating back to 1987," including waivers for facilities that "no longer exist." Furthermore, the memo notes, "DS ...[has no] formal monitoring procedures to determine whether posts are requesting exceptions and waivers for all conditions that do not meet security standards," or whether it is in compliance with current "stipulations in exception and waiver approvals."⁵⁴

While in the field conducting visits, the security panel report notes that it came across critics of a new risk management program, fearing it would lead to "centralized security decisions at the Department level and thus impact embassy ability to conduct foreign policy in high threat environments."⁵⁵ In response, the panel provided numerous benefits to a department-wide risk management system, including mitigating risk by "collaborat[ing] with the security component at the earliest stage of program planning...identif[y]ing...unmitigated risk to personnel, facilities and operations considering the program requirements" and causing the management of risk as opposed

⁵³ Sullivan, Mark, and Todd, Keil and others. "Report of the Independent Panel on Best Practices." *U.S. Department of State*. August 29, 2013. page 8

⁵⁴ "Memo from OIG-Harold W. Geisel to Undersecretary for Management, Patrick Kennedy." *U.S. Department of State and the Broadcasting Board of Governors, Office of the Inspector General*. January 7, 2013.

⁵⁵ Sullivan, Mark, and Todd, Keil and others. "Report of the Independent Panel on Best Practices." *U.S. Department of State*. August 29, 2013. page 7

to avoidance.⁵⁶ Further emphasizing the severity of the problem, the panel points out that if a risk management policy had been in place at the time of the attacks in Benghazi, a more balanced analysis could have been made to compare program objectives and mitigate risk.⁵⁷

Key managers of a risk management formula are likely to be composed of Diplomatic Security's Regional Security Officers (heads of security at U.S. embassies), who by nature of being on the ground at our diplomatic posts are in the best place to implement a risk management formula at the local level. Diplomatic Security also keeps records of "compliance with physical security standards and the status of requests for exceptions and waivers," making it the logical choice for management of risk analysis programs at new sites.⁵⁸ Other key actors include the Overseas Security Policy Board (OSPB), also within DS and which reports to the National Security Council, which "considers, develops, coordinates, and promotes policies, standards and agreement on overseas security operations, programs and projects that affect all U.S. Government agencies." OSPB is a likely candidate for the formulation of a risk analysis program at the Department, as it currently establishes "physical standards for [various] overseas [U.S. government] posts."⁵⁹

On the other hand, opponents may include the Undersecretary for Management, Patrick Kennedy, who currently has jurisdiction over decisions to extend waivers to high threat

⁵⁶ Ibid. page 9

⁵⁷ Ibid page 9

⁵⁸ "Memo from OIG-Harold W. Geisel to Undersecretary for Management, Patrick Kennedy." *U.S. Department of State and the Broadcasting Board of Governors, Office of the Inspector General*. January 7, 2013.

⁵⁹ "Audit of Department of State Compliance With Physical and Procedural Security Standards at Selected High Threat Level Posts." *U.S. Department of State and the Broadcasting Board of Governors, Office of Inspector General*. June 2013. Page 5

consulate and other “lower-level” posts such as special missions. Though he has not yet expressed reservations about a risk management program, his direct involvement in the approval stages could lead to future disagreements over its implementation.⁶⁰

Cyclical Funding

Little can be done to correct security deficiencies at our diplomatic facilities without appropriate, and steady, funding. Both the 1999 and 2012 ARB report directly linked cyclical budget lulls as indicative of the lack of “sustained commitment from Congress to support State Department needs.”⁶¹ This trend, also referred to as the “boom and bust” diplomatic security cycle by analysts at *Stratfor*, reveals the temporary “windfall” from attacks, the subsequent increase in Congressional appropriations, which later trickle down as the attention ebbs and Congressional budget constraints lead to a final stem in money flows.⁶²

The cycle is further compounded by the Department’s own lack of consistency in allocating funds to DS. As *Stratfor* analyst Scott Stewart points out, “cuts to the overall State Department budget generally result in cuts for security programs.” As Table 2 shows, percentage of funding to diplomatic security slowly dwindles as a percentage of the Department’s budget when terrorist threats appear to subside. Later, as attacks hit, the percentage of overall Department funding for DS rises steeply and expediently.

⁶⁰ Epstein, Susan and Tiersky, Alex. “Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues.” *Congressional Research Service*. May 28, 2014. Page 11

⁶¹ Accountability Review Board (ARB) Report. *U.S. Department of State*. December 19, 2012. Page 3

⁶² Stewart, Scott. “The Benghazi Report and the Diplomatic Security Funding Cycle.” *Stratfor*. December 27, 2012 and

Epstein, Susan and Tiersky, Alex. “Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues.” *Congressional Research Service*. May 28, 2014. page 2

Table 2: Percent of State Department Budget Allocated to Diplomatic Security (in millions)⁶³

Cost Center	FY2008	FY2009	FY2010	FY2011
	Actual Funding	Actual Funding	Actual Funding	Actual Funding
Administration of Foreign Affairs (overseas budget)	8,991.2	10,932	12,357.2	11,225.9
Total Security as % of Admin. of Foreign Affairs Budget	24%	33%	28%	23%
Total State Budget	12,501.3	15,079.2	16,423	14,847.1
% of Total State Budget	17%	22%	20%	16%

Cost Center	FY2012	FY2013	FY2014	FY2015
	Actual Funding	Actual Funding	Actual Funding	Requested
Administration of Foreign Affairs (overseas budget)	13,371.9	13,467.3	11,680.7	11,614.1
Total Security as % of Admin. of Foreign Affairs Budget	31%	35%	40%	41%
Total State Budget	17,695.3	16,853.6	14,786.4	15,767.8
% of Total State Budget	23%	28%	32%	30%

⁶³ Epstein, Susan and Tiersky, Alex. "Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues." *Congressional Research Service*. May 28, 2014. page CRS-24 Congressional Budget Justification. Volume 1: Department of State Operations" *U.S. Department of State*. Fiscal Year 2008-2015

To remedy the shortfalls in spending, Diplomatic Security and the Accountability Review Board have proposed the restoration of the “Capital Security Cost Sharing Program,”⁶⁴ which would require all agencies with overseas staff at a particular diplomatic facility to “share in construction costs,” with funds prioritized toward high threat, high-risk posts.⁶⁵

Also among the proposals for increased cost reduction is a policy of “co-locating” chanceries serving in nearby areas. An oft cited example of this policy is the current proposal by State to “co-locate the U.S. Embassy at the Holy See within the U.S. Embassy to Italy compound in Rome.”⁶⁶

Key players in cyclical funding include the domestic and overseas heads of non-security programs at State. Diplomatic Security has consistently had to defend its security considerations against Foreign Service personnel who “believe that Regional Security Officers are too risk averse and that they place too many restrictions on diplomats to allow them to practice effective diplomacy.”⁶⁷ DS agents have also expressed concern that since their budget falls under the main Department budget, “senior diplomats, rather

⁶⁴ Accountability Review Board (ARB) Report. *U.S. Department of State*. December 19, 2012. page 9

⁶⁵ “Embassy Construction: Proposed Cost-Sharing Program could Speed Construction and Reduce Staff Levels, but some Agencies Have Concerns.” *U.S. Government Accountability Office (GAO)*. November 15, 2004.

and Accountability Review Board (ARB) Report. *U.S. Department of State*. December 19, 2012. page 9

⁶⁶ Epstein, Susan and Tiersky, Alex. “Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues.” *Congressional Research Service*. May 28, 2014. Page 21.

⁶⁷ Burton, Fred and Stewart, Scott. Counterterrorism funding: Old Fears and Cyclical Lulls.” *Stratfor*. March 18, 2009.

than DS Service agents, represent the agency's interests on Capitol Hill," leading some DS personnel to believe senior diplomats do not have their "best interests at heart."⁶⁸

Other key players include Congressman Royce and Senator Menendez, who are both currently proposing embassy security legislation on Capitol Hill in the House and Senate foreign affairs committees respectively. Both have expressed interest in increasing security funding and will need to be consulted regarding plans for a sustainable spending program.⁶⁹

Policy Proposal

Continued threats to our diplomatic posts have presented a number of areas requiring the Secretary's immediate attention. The shift toward a Design Excellence program and an ongoing use of waivers will need to be offset by a new risk management procedure, as well as a regular review process to identify new and evolving threats to our overseas facilities. The Department should consider three recommendations to address the growing dangers to our embassies.

- First, this memorandum supports the Department commissioned security panel recommendation for a standardized risk-management program, which should be put in place to measure the feasibility of conducting diplomacy at all new and existing diplomatic posts, particularly those in high threat areas.⁷⁰ Findings shall

⁶⁸ "The Benghazi Report and the Diplomatic Security Funding Cycle." *Stratfor: Global Intelligence*. Dec. 27, 2012.

⁶⁹ "Ed in the News: Royce's embassy security bill clears the House." *U.S. Representative Ed Royce, 39th District of California Official Website*. Press Release, Sept. 28, 2013.

"Menendez Introduces Embassy Security and Personnel Protection Act of 2013." *U.S. Senator Menendez, New Jersey, official website*. Press Release. May 16, 2013.

⁷⁰ Green, Grant, and Melrose, Joseph and others. "Report on Diplomatic Security, Organization and Management." *U.S. Department of State*. May 2013. Page 6, 19

be reported by Diplomatic Security to the Undersecretary for Management before granting requests for new security waivers, and existing waivers should be re-evaluated every two years. In addition, as recommended by S.1386, Embassy Security, Threat Mitigation, and Personnel Protection Act of 2013, the Secretary shall update Congress annually regarding high-risk, high threat overseas posts.⁷¹

- Second, the Excellence in Design program, created out of a desire to improve the image of our embassies, should not be considered at posts which meet the “high threat, high-risk” criteria. This criterion should be measured using the first recommendation’s risk management analysis system. Chanceries found to be at significant risk should be constructed using the Standard Embassy Design (SED) standard, to ensure both expediency of construction and adequate safety standards at high threat posts.
- Third, the Secretary should support Senate bill 1368, to increase funding to the Capital Security Cost Sharing Program, addressing cyclical funding lulls over a 10-year period. In addition, the Secretary should implement co-location of facilities wherever possible when creating new embassies or consulates abroad.⁷²

The new risk assessment program will be designed by the Overseas Security Policy Board (OSPB).⁷³ As the current standard setter for our overseas facility security requirements, the board is aptly suited to formulate a complementary risk management

⁷¹ Tiersky, Alex. “Securing U.S. Diplomatic Facilities and Personnel Abroad: Legislative and Executive Branch Initiatives. *Congressional Research Service*. May 7, 2014. Page 12 and Sullivan, Mark, and Todd, Keil and others. “Report of the Independent Panel on Best Practices.” *U.S. Department of State*. August 29, 2013. p. 9, and “S.1386- Embassy Security, Threat Mitigation, and Personnel Protection Act of 2013: 113th Congress (2013-2014).” *Library of Congress-Congress.gov*. Accessed September 2014.

⁷² Accountability Review Board (ARB) Report. *U.S. Department of State*. December 19, 2012. Page 9, Tiersky leg background p. 9, Tiersky background and policy issues p. 17 and 18

⁷³ “Overseas Security Policy Board.” *U.S. Department of State*. Accessed Nov. 15, 2014.

system. Furthermore, implementation shall be carried out by Regional Security Officers who already work at our overseas facility locations, allowing them to formulate the most accurate analysis of risk at site.

The biennial evaluation of waivers shall be carried out by Diplomatic Security, who shall report its findings to the Undersecretary for Management. Considerations for renewing security waivers should include updates on evolving facility threats, vulnerabilities and the current host country security capabilities. Upon review, the undersecretary shall be required to renew or discontinue past waivers.

In addition, areas being considered for the Design Excellence program should instead be replaced with the Standard Embassy Design structure in areas of the globe which remain under high threat. The SED structures remain the fastest and safest method for designing our diplomatic facilities abroad, according to former Undersecretary for Management Grant Green,⁷⁴ and should continue to be the standard for chanceries awaiting renovation or relocation in high threat areas. The risk assessment program should be considered as a measure to evaluate which posts should fall under Standard Embassy Design versus Design Excellence architecture.

Finally, the Capital Security Cost Sharing (CSCS) program currently requires all agencies with personnel at our overseas diplomatic posts to contribute to security cost, with funding prioritized toward high threat facilities.⁷⁵ However, this program has not been funded to capacity, and requires Congressional appropriations in order to fund. Senate

⁷⁴ Green, Grant, and Melrose, Joseph and others. "Report on Diplomatic Security, Organization and Management." *U.S. Department of State*. May 2013. Page 20 & 21

⁷⁵ Accountability Review Board (ARB) Report. *U.S. Department of State*. December 19, 2012. p. 9

bill 1386 would contribute \$1.383 billion in funding for CSCS in FY 2014, following upon the heels of the ARB recommendation that the Department work with Congress to restore CSCS to its “full capacity” and implement a “ten-year program” for consistent funding to high threat posts.⁷⁶

Table 3: Capital Security Construction Program, Fiscal Years 2009-2014 (in millions of nominal dollars)⁷⁷						
Program	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Capital Security Cost Sharing	800.5	752.8	579.2	428.2	1,383.00	4,649.40

Policy Analysis

Standard Embassy Design versus Design Excellence Construction Programs

Efficiency and Likelihood of Success

The Standard Embassy Design Structure (SED) has the advantage of being a program that was not only tried and tested, but had a reputation of achieving its intended goal of upgrading embassy and consulate security standards at a remarkable speed between 2001-2010.⁷⁸ Therefore, if the program were to continue, particularly in high threat areas, its likelihood of success is high, as it has already been successfully implemented in the past, and can be authorized under the Secretary’s existing executive authority.⁷⁹ On the other hand, concerns exist that the isolation of SED sites outside of cities—due to the

⁷⁶ Tiersky, Alex. “Securing U.S. Diplomatic Facilities and Personnel Abroad: Legislative and Executive Branch Initiatives.” *Congressional Research Service*. May 7, 2014. p. 10

⁷⁷ “Diplomatic Security: Overseas Facilities May Face Greater Risks Due to Gaps in Security-Related Activities, Standards, and Policies.” *Government Accountability Office*. June, 2014. p. 35

⁷⁸ Pound, Edward. “Report details enduring flaws in State Dept. diplomatic security.” *Al-Jazeera*. May 5, 2014.

⁷⁹ Ibid

10-15 acre space requirements—increase the risk to diplomats, as “the resulting long drive to work actually made [diplomats] more vulnerable to terrorists,” according to one former ambassador.⁸⁰

In 2001, William Miner, then-director of OBO’s design and engineering office, together with then-director of OBO Charles Williams, initiated the Standard Embassy Design program to address growing threats to our embassies and consulates following the 1998 West African embassy bombings.⁸¹ Prior to its abandonment in 2010⁸², the Standard Embassy Design program successfully achieved its goal of expeditiously and efficiently constructing diplomatic posts to replace those which did not previously meet State Department security requirements. “Over 100 embassies [were built] using that strategy” according to Miner, compared to the glacial speed of construction from 1983-1998, when over 75 new embassies failed to materialize due to the inability of officials to uncover efficient means of fulfilling the new security standards.⁸³

Bolstered by its simple, three sized structure design, the SED program conversely upgraded facilities badly in need of security alterations, and claims to have quickly moved “over 25,840 people out of vulnerable locations and into more secure, safe and

⁸⁰ Loeffler, Jane. “Beyond the Fortress Embassy.” *The Foreign Service Journal*. December 2012. Page 23 and Green, Grant, and Melrose, Joseph and others. “Report on Diplomatic Security, Organization and Management.” *U.S. Department of State*. May 2013 p. 21

⁸¹ Pound, Edward. “Report details enduring flaws in State Dept. diplomatic security.” *Al-Jazeera*. May 5, 2014

⁸² Ichniowski, Tom. “State Department Ramping Up Design Excellence Program for U.S. Embassies.” *Architectural Record*. April 28, 2011.

⁸³ “Design for Diplomacy: New Embassies for the 21st Century: A Report of the AIA 21st-Century Embassy Task Force.” *The American Institute of Architects*. July 1, 2009. and Loeffler, Jane. “Beyond the Fortress Embassy.” *The Foreign Service Journal*. December 2012. p. 21 and 22 and Loeffler, Jane. *The Architecture of Diplomacy*. Princeton Architectural Press. New York, New York. 2011. Revised 2nd Edition. Page 261.

functional facilities.”⁸⁴ Thus, from a likelihood of success standpoint, the SED program has a proven track record of efficient implementation.



Figure 2: Standard Embassy Design Architecture at the Embassy of Quito, Ecuador.⁸⁵

As stated earlier, success in securing our diplomatic facilities using the Standard Embassy Design program may be mitigated by what some diplomats argue is the increased risk of traveling to remote facilities outside the city, thereby increasing the danger embassy and consulate personnel face when traveling to site. As diplomatic SED facilities require additional space, facilities are often located several miles from the residential areas of diplomatic personnel. Unfortunately, as the distance between diplomatic facilities and residential areas are different from country to country, few

⁸⁴ Epstein, Susan and Tiersky, Alex. “Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues.” *Congressional Research Service*. May 28, 2014. P. 9 and “Fiscal Year Congressional Budget Justification, Vol. 1, Department of State Operations.” *U.S. Department of State*. P. 470.

⁸⁵ Loeffler, Jane. “Beyond the Fortress Embassy.” *The Foreign Service Journal*. December 2012. Page 21

studies exist to verify this claim, though security experts have advised that the distance be shortened where possible.⁸⁶

Effectiveness

While even critics admit that the SED program is both expedient and cost-efficient in safeguarding our embassies, dissent toward SED architecture tends to center around effectiveness when combined with an embassy or consulate's primary diplomatic endeavors.⁸⁷ In particular, detractors point to the added burden of highly-secure SED structures on daily diplomacy, and the affect of bleak-looking US architecture on local populations visiting our embassies for the first time.⁸⁸

In attempting to implement tight security standards, a side-effect of the SED program, according to critics, has been to construct buildings which intimidate locals while presenting the wrong image of US values (see Figure 2).⁸⁹ Indeed, the small, medium and large sized structures have frequently aroused ire amongst diplomats and architects for their simplistic and imposing appearance, as well as the lack of innovation necessary for their construction. As architectural historian and supporter of the Design Excellence program, Jane Loeffler argues, congressman and former ambassadors began criticizing

⁸⁶ Pound, Edward. "Report details enduring flaws in State Dept. diplomatic security." *Al-Jazeera*. May 5, 2014
and Loeffler, Jane. "Beyond the Fortress Embassy." *The Foreign Service Journal*. December 2012. Page 23 and Green, Grant, and Melrose, Joseph and others. "Report on Diplomatic Security, Organization and Management." U.S. Department of State. May 2013 p. 21

⁸⁷ Ibid p. 22

⁸⁸ Brown, Tanya Ballard. "Can U.S. Embassies Be Safe Without Being Unsightly?: Interview of Susan Johnson" *NPR News*. Feb. 26, 2013 and Grabar, Henry. "Fortress America: How the U.S. Designs its Embassies: The challenge of architecture that epitomizes American values while offering total security." *The Atlantic*. Sept. 17, 2012.

⁸⁹ Pound, Edward. "Report details enduring flaws in State Dept. diplomatic security." *Al-Jazeera*. May 5, 2014

the SED program “even before it began,” with individuals such as “Senator Daniel P. Moynihan (D-NY), a former U.S. ambassador to India...advocat[ing] the idea of “acceptable risk” for [embassies and consulates] meant to mirror American values.” His concerns highlight the struggle even then against security standards which would impede upon diplomatic relations within the host country. But as Loeffler admits, “it was hard for critics to fault [security advocates]” when “the State Department continued to chronicle active attempts, sometimes two or three a day, to target U.S. personnel and facilities around the world.” As a result, SED advocates won the day in 2001, “mov[ing] thousands of workers to far more secure and modern workplaces.”⁹⁰

Critics also argue that the space needed to construct an SED facility—up to 10-15 acres—prevents diplomats from maintaining a presence in the host nation, and leads to a sense of “isolation,” according to both Jane Loeffler and president of the *American Foreign Service Association’s Journal* Susan Johnson.⁹¹ For example, as one former U.S. ambassador to Yemen points out, during her term the “new embassy in Sanaa prevented diplomats from building ‘essential relationships,’ and observed that the resulting long drive to work actually made them more vulnerable to terrorists.”⁹² Critics also point out that “no amount of security is adequate ‘where the host government cannot or will not protect us.’”⁹³

As a new program, the effectiveness of Design Excellence versus SED security features

⁹⁰ Loeffler, Jane. “Beyond the Fortress Embassy.” *The Foreign Service Journal*. December 2012. Page 23

⁹¹ Ibid p. 21

Brown, Tanya Ballard. “Can U.S. Embassies Be Safe Without Being Unsightly?: Interview of Susan Johnson” *NPR News*. Feb. 26, 2013.

⁹² Loeffler, Jane. “Beyond the Fortress Embassy.” *The Foreign Service Journal*. December 2012. Page 21

⁹³ Ibid p. 21

remains to be seen.⁹⁴ A more apt comparison, according to security experts, has been the speed at which new embassies are built, and maintaining cost-levels under the SED program compared to the new Design Excellence program. In terms of speed, security experts such as Grant S. Green Jr., former Undersecretary for Management and author of a new State Department security panel report on embassy security, have voice their concern that, “despite schedule/cost assurances from OBO (regarding the Excellence in Design program)...fewer facilities...can be built over the same time frame” thus leaving more personnel exposed to inadequate facilities for longer periods of time, and that “unique designs...requires more time for DS to review the designs and determine necessary countermeasures; with DS already overloaded with tasks, the [report] questions the advisability of requiring this extra time.”⁹⁵ Further concerns regarding the effectiveness of Design Excellence have arisen from security experts since it was reported that “only 80 to 90 [of 175] new [and more secure] facilities” were completed between the period of 1998 and 2012.”⁹⁶

The question then remains whether Design Excellence can guarantee security and timeliness while implementing a more innovative buildings program. Though the current OBO director, Lydia Muniz, believes they can, security experts caution that the extra time and cost of the Design Excellence program is virtually guaranteed, with increased costs and time delays already arising in the construction of the new U.S. embassy in

⁹⁴Epstein, Susan and Tiersky, Alex. “Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues.” *Congressional Research Service*. May 28, 2014. Page 10

⁹⁵Green, Grant, and Melrose, Joseph and others. “Report on Diplomatic Security, Organization and Management.” *U.S. Department of State*. May 2013. Page 21

⁹⁶ Epstein, Susan and Tiersky, Alex. “Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues.” *Congressional Research Service*. May 28, 2014. Page 9

London, which falls partly under the new program.⁹⁷ Such delays could have long-term consequences, such as preventing badly needed upgrades from being implemented in a timely manner at high-risk, high threat embassies and consulates around the globe, according Green.⁹⁸

Cons

The negative side of continuing a more SED-focused architectural program, however, will be the loss of benefits—such as flexibility to build in urban centers, maximized energy efficiency and values-inspired architecture— that former ambassadors and historians such as Loeffler believe are advantages of the Design Excellence program.

As Loeffler states in her defense of the new program, which was published in the *American Foreign Service Journal*, the Design Excellence program presents a number of benefits to the work of diplomacy, such as allowing for “acquisition of (smaller) sites in urban areas [and] where possible...enhanc[ing] symbolism and accessibility.” In addition, she states, the program would utilize “the latest engineering techniques to maximize sustainability and energy-efficiency.” Finally, she further argues that the program would allow the “integration of art (local and American) to showcase cultural exchange and enhance buildings and grounds...and care and preserv[e]...historical properties and other cultural assets.”

⁹⁷ “Are Modern U.S. Embassies Becoming Too Costly to Build?” *CBS News*. June 4, 2014.

⁹⁸ Pound, Edward. “Report details enduring flaws in State Dept. diplomatic security.” *Al-Jazeera*. May 5, 2014

But by not supporting the Design Excellence program, there is little likelihood that SEDs will be located close to cities, nor will they adapt to local cultural standards, and thus could have the potential to damage our image in host countries overseas.⁹⁹ Furthermore, as the embassy in Mexico City is pegged to be the first fully-completed Design Excellence structure, the program will have barely left the ground before shifting more forcefully toward SED structures in our diplomatic facility construction programs.¹⁰⁰

Authorization Tool

Prioritizing Standard Embassy Design over Design Excellence in high threat locations can be achieved via the Secretary's existing executive authority and in coordination with the Bureau of Overseas Building Operations.¹⁰¹ The Secretary should have little trouble enforcing this, and can continue to implement Design Excellence programs in areas of the globe, like London and Mexico City, where the US is particularly concerned about its public appearance.

Risk Management

Effectiveness

According to a Department commissioned security panel recommendation, the Department needs to put in place a standardized risk management policy in order to

⁹⁹ Loeffler, Jane. "Beyond the Fortress Embassy." *The Foreign Service Journal*. December 2012. Page 26

¹⁰⁰ Ibid

¹⁰¹ "Text of H.R.4151: Omnibus Diplomatic Security and Anti-Terrorism Act of 1986." 99th Congress, 1985-1986. *Govtrack.us*.

ensure a culture of risk management rather than risk avoidance.¹⁰² Concerns regarding the efficiency of this policy, however, include the fear that a standardized risk management policy will lead to centralized decision-making.¹⁰³

At present, the Department manages risk by “track[ing] information about each facility, assessing threat levels at posts, develop[ing] security standards to meet threats facing different types of facilities overseas, identifies vulnerabilities, and sets risk-based construction priorities,” according to a *Government Accountability Office* report.

However, according to the same report, significant gaps remain in assessing ongoing threats and mitigating risk at high threat sites which exist under security waivers.¹⁰⁴

Furthermore, the Department has not followed the ARB recommendation to implement mitigating measures before granting waivers for posts at high threat locations, ostensibly due to the need for flexibility when conducting expeditionary diplomacy.¹⁰⁵

The benefits, however, to such a policy, have been outlined by at least two Department-commissioned security reports.¹⁰⁶ Such pros include identifying clear “program requirements [and responsibilities] by program managers...[to ensure] close collaboration

¹⁰² Sullivan, Mark, and Todd, Keil and others. “Report of the Independent Panel on Best Practices.” *U.S. Department of State*. August 29, 2013. Page 9

¹⁰³ Ibid P. 7

¹⁰⁴ “Diplomatic Security: Overseas Facilities May Face Greater Risks Due to Gaps in Security-Related Activities, Standards, and Policies.” *Government Accountability Office*. June, 2014.

¹⁰⁵ Ibid, p. 20

¹⁰⁶ Green, Grant, and Melrose, Joseph and others. “Report on Diplomatic Security, Organization and Management.” *U.S. Department of State*. May 2013 and “Report of the Independent Panel on Best Practices.” *U.S. Department of State*. August 29, 2013. (Both sources discuss this).

with the security component at the earliest stage of program planning” and “identification of associated resource requirements...[and] mitigating measures to reduce risk.”¹⁰⁷

Conversely, critics of a burdensome risk management system point out that much of what diplomacy consists of is expeditious diplomacy, or taking a risk in “just being there,” according to a statement by former Secretary of State Hillary Clinton.¹⁰⁸ In other words, expeditionary diplomacy exists because even if the risks are high, diplomacy works best when the U.S. shows it is willing to show up and give its support to a local cause. Because of this, proponents of ad hoc diplomacy are unlikely to approve of a department-wide risk management system that may prevent them from conducting their jobs effectively.

While justified, concerns remain that expeditious diplomacy has risks, and security officials argue they should have a say as to when the risk has grown too great. For instance, Mark Sullivan, author of one of the Department’s recent security panel reports and a 35 year veteran as a Federal Agent puts it, “there may be...a requirement to conduct critical programs in an environment where the residual risk is so severe that there is a high likelihood its implementation will result in death or serious injury.” In such instances, Sullivan adds, DS should work with senior Department leaders to evaluate the feasibility, or necessity, of implementing the critical program.”¹⁰⁹

¹⁰⁷Sullivan, Mark, and Todd, Keil and others. “Report of the Independent Panel on Best Practices.” *U.S. Department of State*. August 29, 2013. Page 9

¹⁰⁸Ambassador James R. Bullington. “Expeditionary Diplomacy and the Casamance Conflict.” *U.S. Department of State*. Sept. 9, 2013.

¹⁰⁹Sullivan, Mark, and Todd, Keil and others. “Report of the Independent Panel on Best Practices.” *U.S. Department of State*. August 29, 2013 Page 10 and Appendix-p.1

An instance when risk management could have significantly altered the course of events for embassy staff was the lead up to the deadly events of Special Mission Benghazi in 2012. As security expert Grant Green puts it, “had an effective risk management model been in use at the time the decision was made to extend the special mission in Benghazi, the action memorandum would have detailed the program objectives, threats, vulnerabilities, and the security measures required to mitigate the risk.” Had such an analysis taken place, Green argues, “the Department would then have been able to determine if the level of risk was acceptable considering the expected outcome.”¹¹⁰ Instead, the mission continued unheeded, as Ambassador Chris Stevens “presence in the city was seen as a significant sign of U.S. support [for the Libyan Transitional National Council], and recognition of the resurgence of Eastern Libya’s political events.” Eventually, this expeditionary diplomacy would culminate in Steven’s death.¹¹¹

Efficiency, Administrative Capacity, and Likelihood of Success

Currently, Department personnel share risk management responsibilities; while “program criticality is determined by program managers, risk are determined by security managers.”¹¹² Thus a standardized risk management system could be implemented by the Regional Security Officers (RSO) who already have responsibilities over risk assessment as security managers, in conjunction with OBO, the country program managers.¹¹³ Such

¹¹⁰ Ibid. P. 9

¹¹¹ The events and risks surrounding Chris Stevens death can be read, in detail, within the Accountability Review Board’s “Political and Security Context Prior to the Attacks” summary. (Accountability Review Board (ARB) Report. *U.S. Department of State*. December 19, 2012. p. 13)

¹¹² Sullivan, Mark, and Todd, Keil and others. “Report of the Independent Panel on Best Practices.” *U.S. Department of State*. August 29, 2013. Page 10

¹¹³ “Diplomatic Security: Overseas Facilities May Face Greater Risks Due to Gaps in Security-Related Activities, Standards, and Policies.” *Government Accountability Office*. June, 2014, Page 11

a program can be authorized by the Secretary under his executive authority granted in the Omnibus Diplomatic Security and Antiterrorism Act of 1986.¹¹⁴ However, concerns exist that DS already has a risk management system, which it has not implemented, and that ongoing measures to track evolving threats are plagued by delays.¹¹⁵

The likelihood of successfully implementing a risk-management program can be measured by ongoing attempts to assess risk at embassies and consulates today. A recent *Government Accountability Office* report notes that DS “created a risk management policy statement in 1997...[but has] not fully developed and implemented the policy.” Amongst the reasons for this— the Department “risk management statement lacks clear roles and responsibilities for all stakeholders and detailed guidance on how to carry out its elements.”¹¹⁶ Thus in order for this policy to succeed, a valid and clear guideline on how to share responsibility would need to be put in place.

An additional concern includes present monitoring of security standards. For instance, the Overseas Security Policy Board (OSPB), the current standard setter, is currently required to review its standards “at least once every 5 years” to evaluate “evolving threats and risks” to our embassies and consulate abroad. However, in reality, OSPB only reviews its policies following the events of an attack or serious injury, leaving State Department security personnel at OBO and DS to “implement security standards [which]

¹¹⁴ “Text of H.R.4151: Omnibus Diplomatic Security and Anti-Terrorism Act of 1986.” 99th Congress, 1985-1986. *Govtrack.us*. 100 Stat 856, 22 u s e 4802. Section 103.

¹¹⁵ Green, Grant, and Melrose, Joseph and others. “Report on Diplomatic Security, Organization and Management.” *U.S. Department of State*. May 2013. Page 21 and “Diplomatic Security: Overseas Facilities May Face Greater Risks Due to Gaps in Security-Related Activities, Standards, and Policies.” *Government Accountability Office*. June, 2014 p. 45

¹¹⁶ “Diplomatic Security: Overseas Facilities May Face Greater Risks Due to Gaps in Security-Related Activities, Standards, and Policies.” *Government Accountability Office*. June, 2014, Page 47

exceeded security requirements,” since, as one RSO puts it, the OSPB “standards are inadequate to mitigate against risks faced by some high threat, high-risk posts.”¹¹⁷ Thus, if OSPB were to establish standardized risk management procedures, as this recommendation suggests, and fail to regularly review evolving threats identified by DS, the standardized risk management process could be derailed, or ignored, entirely.

To adequately address this concern, this recommendation will need to include measures which require OSPB to regularly review its risk management procedures. As an “interagency body created to assist the Secretary in carrying out the statutory security responsibilities prescribed by the Omnibus Diplomatic Security and Antiterrorism Act of 1986,” the Secretary of State can enforce a requirement that OSPB regularly review its standards on an annual or bi-annual basis, to ensure credibility.¹¹⁸

As for implementation itself, as current RSOs work successfully with OBO to assess risk, and “take additional steps on their own...to implement security measures that exceed OSPB standards” when they do not match site-specific needs, RSO have proven they have the capability and flexibility to implement a more nuanced standardized risk management system. But without a successful OSPB risk standardized system, “security measures are up to the professional judgment of post RSOs [alone], an ad hoc process that does not draw on the collective subject-matter expertise of DS and the interagency OSPB.”¹¹⁹ Thus a successful process would incorporate a regularly updated risk

¹¹⁷ Ibid. Page 32 and 33

¹¹⁸ “Overseas Security Policy Board.” *U.S. Department of State*. Accessed Nov. 15, 2014 and “Text of H.R.4151: Omnibus Diplomatic Security and Anti-Terrorism Act of 1986.” 99th Congress, 1985-1986. *Govtrack.us*. 100 Stat 856, 22 u s e 4802. Section 103.

¹¹⁹ “Diplomatic Security: Overseas Facilities May Face Greater Risks Due to Gaps in Security-Related Activities, Standards, and Policies.” *Government Accountability Office*. June, 2014 Page 33 and 34

standardized system, created by OSPB, while allowing some flexibility for RSOs to assess unique threats at their local sites.

Cons

The greatest drawback to a risk management system would be the flexibility it could take away from diplomats participating in ad hoc, or expeditionary diplomacy in high-risk areas. As diplomats attempt to show their support for local causes, or attempt to negotiate important trade deals and reconstruction projects, an overly burdensome risk management system could impede their ability to travel to sites deemed high-risk, thereby thwarting important diplomatic achievements requiring flexibility.

In 2011, the Department began awarding service awards for “expeditionary diplomacy,” which is given to those who serve in high-risk areas, thus encouraging diplomats to take charge of the situation despite associated risks that might be involved.¹²⁰ However, the ability of diplomats to perform in such environments may be frustrated by the risk management system, as local RSOs may decide that the associated risks are too high for a diplomat to continue his activities at a high-risk site, despite the potential benefits. Thus, it is likely that at least some diplomatic endeavors, or possible achievements, will be prevented due to this new risk management system.

Critics of an overly burdensome risk management program, such as State Department scholar Jane Loeffler and Susan Johnson, also point out that the risks are not as great as Diplomatic Security would have you believe. In a report on the Design Excellence

¹²⁰ “Remarks at the Expeditionary Diplomacy Awards.” June 28, 2012. *U.S. Department of State Official Website*.

program, Loeffler quotes Johnson in saying that the focus should instead be on “diplomatic discretion,” which is “now often severely constrained by security regulations, and recognition of “acceptable risk,” understood by diplomats but hard for the public to tolerate.” She further quotes Johnson as saying that “no one suggests confining all city police officers to walled compounds...but the risk of dying in the line of duty for a Foreign Service Officer is roughly equal to the risk facing a D.C. police officer.”¹²¹ Thus Loeffler and Johnson, as well as the diplomatic community they refer to, would surely be opposed to another risk management procedure, as it could further complicate their ability to perform official duties and have a negative impact on our foreign relations agenda.

Authorization Tool

A risk management program, regularly updated by OSPB and implemented by program managers and local RSOs within State, can be authorized under the Secretary’s executive authority.¹²² The Secretary should implement a Department policy whereby OSPB creates a standardized risk management program for all Department overseas personnel, and require updates on a one to two year basis.

The Secretary should also support S.1386, which would require the Department to update Congress annually on the number of high-risk, high threat posts. This will help ensure

¹²¹ Loeffler, Jane. “Beyond the Fortress Embassy.” *The Foreign Service Journal*. December 2012. Page. 27

¹²² “Text of H.R.4151: Omnibus Diplomatic Security and Anti-Terrorism Act of 1986.” 99th Congress, 1985-1986. *Govtrack.us*. 100 Stat 856, 22 u s e 4802. Section 103.

security waivers are not used excessively and help prevent a repeat of the Special Mission Benghazi incident.¹²³

Cyclical Funding Constraints

Effectiveness and Likelihood of Success

The third recommendation—ensuring long-term funding through the Capital Security Cost Sharing (CSCS) program and co-locating agencies in one facility—would provide for an enduring solution to the cyclical funding reprieve of State Department budget requests.¹²⁴ “Non-State” Department skeptics of the program, however, point out that charging agencies based on the number of stationed personnel at our chanceries could prevent those agencies from carrying out their mission, and that a better method for distributing costs could be chosen. Furthermore, according to a GAO report, “State is also concerned that, without cost sharing, OBO could overbuild office space due to agencies’ imprecise staffing projections.”¹²⁵

The Capital Security Cost Sharing program arose as early as 2000, when OBO initiated the program to address the serious need to upgrade security standards at its facilities. However, the program lost steam until the events of Benghazi shed light on security funding deficiencies at State. In response to its findings on the matter, the *Accountability Review Board* recommended that the Department “restore the Capital Security Cost

¹²³ “S.1386 - Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty Embassy Security, Threat Mitigation, and Personnel Protection Act of 2013.” *Congress.gov*. Accessed Nov. 15, 2014.

¹²⁴ Accountability Review Board (ARB) Report. *U.S. Department of State*. December 19, 2012. p. 9

¹²⁵ “Embassy Construction: Proposed Cost-Sharing Program Could Speed Construction and Reduce Staff Levels, but Some Agencies Have Concerns.” *Government Accountability Office*. Nov. 15th, 2004 “what GAO found”

Sharing Program to its full capacity, adjusted for inflation, of \$2.2 billion in 2015, for up to a 10 year period” by ensuring that each agency contribute in accordance with the number of personnel it authorizes to serve at our chanceries overseas.¹²⁶ Such a program would allow State to maintain prioritized funding for high-risk, high threats sites for at least a decade.¹²⁷

Agencies contributing to these costs outside of State complained, however, that the “head-count” system of attributing costs to agencies was poorly formed, but should instead be based off of such costs as amount of space used per year.¹²⁸ These complaints, accentuated by recent demands for additional cost sharing, were voiced in a *Government Accountability Report* as early as 2004.¹²⁹

In response, OBO officials have “stated that they preferred the head-count formula, largely because it would best meet the primary goals of accelerating embassy construction and promoting rightsizing of U.S. agencies’ overseas staff, would be simple to implement, and would avoid agencies’ relocating overseas personnel to avoid or reduce cost-sharing charges.”¹³⁰ Thus concerns regarding implementation and effectiveness may be mitigated by the simplicity of the program while promoting fair-share approaches to cost-saving for each of the agencies involved.

¹²⁶ Accountability Review Board (ARB) Report. *U.S. Department of State*. December 19, 2012. p. 9, Tiersky, Alex. “Securing U.S. Diplomatic Facilities and Personnel Abroad: Legislative and Executive Branch Initiatives. *Congressional Research Service*. May 7, 2014. p. 6 and Epstein, Susan and Tiersky, Alex. “Securing U.S. Diplomatic Facilities and Personnel Abroad: Background and Policy Issues.” *Congressional Research Service*. May 28, 2014. p. 21.

¹²⁷ Accountability Review Board (ARB) Report. *U.S. Department of State*. December 19, 2012. p. 9

¹²⁸“Embassy Construction: Proposed Cost-Sharing Program Could Speed Construction and Reduce Staff Levels, but Some Agencies Have Concerns.” *Government Accountability Office*. Nov. 15th, 2004 p. 3

¹²⁹ Ibid-what GAO found”

¹³⁰ “Embassy Construction: Proposed Cost-Sharing Program Could Speed Construction and Reduce Staff Levels, but Some Agencies Have Concerns.” *Government Accountability Office*. Nov. 15th, 2004. Page 3.

As for difficulties projecting space requirements by non-State agencies, the Department believes the CSCS program could use the head count system to offset incorrect projections by agencies on the number of personnel they would need at a particular facility in the future.¹³¹ The problem of providing enough space for future staffing projections is also offset by the use of SED facilities, which utilize greater amounts of space than traditional embassies and consulates, to ensure security requirements are met.¹³²

Equity

The GAO report on cost-sharing also listed equity as a concern for the Capital Security Cost Sharing Program (CSCS). For instance, the report notes “non-State” agencies have complained a mediation entity needs to exist to resolve disputes regarding an agency’s contribution to the program, as well as to “ensure accountability and equity, and consider improvements to the program.”¹³³ At present, such an entity does not exist.

Cons

Despite the bipartisan support and the high monetary contributions of S.1386 (\$1.383 billion would be authorized for FY2014), the Capital Security Cost Sharing program

¹³¹ “Embassy Construction: Proposed Cost-Sharing Program Could Speed Construction and Reduce Staff Levels, but Some Agencies Have Concerns.” *Government Accountability Office*. Nov. 15th, 2004. “what GAO found”

¹³² Loeffler, Jane. “Beyond the Fortress Embassy.” *The Foreign Service Journal*. December 2012. Page 22

¹³³ “Embassy Construction: Proposed Cost-Sharing Program Could Speed Construction and Reduce Staff Levels, but Some Agencies Have Concerns.” *Government Accountability Office*. Nov. 15th, 2004. Page 4

suffers from one major drawback: its reliance on annual appropriations from Congress.¹³⁴

And while Congress shows a strong willingness to maintain CSCS funding now, history has shown that funding for the program in the past has dwindled over time (See Table 3 on Page 21).¹³⁵

By requiring that the program's funding be re-assessed each year, there is no guarantee that the program will avoid the cyclical funding issues which have been blamed for security failures in the past.¹³⁶ Such failures can occur for a variety of reasons, but are most often the result of Congressional efforts to reign in spending. Such was the argument of Jason Chaffetz (R-Utah), senior Oversight Committee member and critic of the Benghazi security failure, when questioned on his vote to cut embassy security funding between 2010-2012. As he put it in October of 2012, "we have to make priorities and choices in this country. We have...15,000 contractors in Iraq. We have more than 6,000 contractors, a private army there, for President Obama, in Baghdad. And we're talking about can we get two dozen or so people into Libya to help protect our forces. When you're in tough economic times, you have to make difficult choices. You have to prioritize things."¹³⁷ Thus, as future political headwinds change, the Capital Security Cost Sharing program could once again lose its current level of appropriations from Congress, and thus muffle its impact in the long-term.

¹³⁴ "S.1386: Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty Embassy Security, Threat Mitigation, and Personnel Protection Act of 2013." Section 101 (c) *Congress.gov*

¹³⁵ "Diplomatic Security: Overseas Facilities May Face Greater Risks Due to Gaps in Security-Related Activities, Standards, and Policies." *Government Accountability Office*. June, 2014. p. 35

¹³⁶ Stewart, Scott. "The Benghazi Report and the Diplomatic Security Funding Cycle." *Stratfor: Global Intelligence*. December 27, 2012.

¹³⁷ Bufkin, Sarah. "Jason Chaffetz Admits House GOP Cut Funding For Embassy Security: 'You Have To Prioritize Things' *Huffington Post*. October 10, 2012.

Authorization Tool

The Capital Security Cost Sharing fund has been suggested in both legislative proposals listed earlier in this memo. Both H.R. 2484 and S.1386 would authorize additional funding to the program.¹³⁸ As for co-locating facilities, the Secretary can work with OBO to ensure that, wherever possible, facilities are co-located, ensuring greater office space and saving on the security costs of additional facilities.

Political Analysis

Prioritizing Standard Embassy Design for High Threat Diplomatic Facilities

Pros

The political benefits of prioritizing Standard Embassy Design facility architecture for our diplomatic facilities are numerous. First, ensuring that our embassies and consulates are secure may improve the Democrat's overall prospects for the presidential election in 2016, particularly if former Secretary Hillary Clinton, who was criticized for her handling of Benghazi, is a candidate. Second, this project will alleviate concerns from the House Oversight Committee, which is concerned that the US is not doing enough to secure our diplomats. And lastly, this program may improve Secretary Kerry's long-term political prospects, as the media and public opinion have focused closely on his ability to prevent a re-occurrence of the attacks in 2012.¹³⁹

¹³⁸ Tiersky, Alex. "Securing U.S. Diplomatic Facilities and Personnel Abroad: Legislative and Executive Branch Initiatives." *Congressional Research Service*. May 7, 2014. p. 10

¹³⁹ "Secretary John Kerry Explains Evacuation of U.S. Embassy in Libya." *CBS News*. July 26, 2014.

In 2012, shortly after the attack on Special Mission Benghazi, Republicans such as Darrel Issa and John Boehner criticized the handling of the attack and questioned why more security had not been present to thwart a potential attack.¹⁴⁰ Ensuring that the Department is doing something to prevent future security breaches would provide a strong defense against future critics, particularly as Democrats prepare for the 2016 presidential election. More specifically, as Secretary during the attack, Hillary Clinton could face repeated criticisms if nothing is done to address security vulnerabilities at our diplomatic sites, as the problem will appear unresolved.

Similarly, the House Oversight Committee has focused a great deal on embassy security at our diplomatic facilities. Representative Jason Chaffetz (R-Utah), a senior lawmaker on the committee, has consistently pointed to the need to increase security at our embassies, and has criticized the Design Excellence program for being too focused on the appearance of our embassies while ignoring the need for security upgrades.¹⁴¹ Thus prioritizing this program could prevent an ongoing headache to the administration in the form of highly-publicized weaknesses exposed by the Oversight Committee.

And lastly, in the wake of the attacks, public opinion polls from the *Economist/Yougov* have shown that only 20% of Americans are “very confident” that the administration is taking the right steps to prevent another attack on our diplomatic facilities.¹⁴² By prioritizing Standard Embassy Design facilities, Democrats can demonstrate that they are

¹⁴⁰ “Benghazi Mission Attack Fast Facts.” *CNN Library*. Nov. 21st, 2014.

¹⁴¹ Are Modern U.S. Embassies Becoming Too Costly to Build?” *CBS News*. June 4, 2014 and Green, Graham Jr. and Melrose, Joseph Jr. and others. “Report on Diplomatic Security Organization and Management.” *U.S. Department of State*. May 2013

¹⁴² “Americans Have Doubts About Benghazi—And Embassy Security.” *Economist/YouGov*. May 15, 2013.

upgrading our facilities in record time and ensure that the necessary precautions are being taken before the next presidential election. Meanwhile, the Department can continue to use Design Excellence in highly-visible locations, such as the embassy in London, Beijing and Mexico city, so as not to abandon a project Secretary Kerry once supported altogether.

Cons

The greatest political resistance to prioritizing SED structures is likely to come from within the Department. First, the director of OBO, Lydia Muniz, is unlikely to support a shift away from Design Excellence, as it is a project that she has promoted since becoming director. Second, Democrats such as the current Secretary have previously voiced significant support for the Design Excellence program, so backing away too far could be an admission of failure and damage the Secretary's credibility.¹⁴³

The Design Excellence program has had significant support from within the Department— diplomats and academics have written extensively on the benefits of having a welcoming embassy for those who have never been to the U.S. or are coming for the first time. And while Diplomatic Security has vehemently opposed the program, many within the Department have not.¹⁴⁴ Thus reversing course on the number of facilities designed under the Excellence in Design Program could have a damaging affect on morale and on the Secretary's own popularity within the Department.

¹⁴³ Loeffler, Jane. "Beyond the Fortress Embassy." *The Foreign Service Journal*. December 2012. Page 26

¹⁴⁴ Ibid.

Prioritizing SEDs over Design Excellence may also undercut one of the strongest defenders of the Design Excellence program, director of the Bureau of Overseas Building Operations Lydia Muniz.¹⁴⁵ And while reversing direction on her program would not damage Kerry's legacy by itself, it could open up questions as to whether the security features of Design Excellence, which have not been proven up to this point, are actually effective. Thus if not handled carefully, the gradual shift away from Design Excellence could open up new questions from the Oversight Committee on how effective the limited but already planned Excellence in Design Facilities in London and Mexico City are at securing our facilities.¹⁴⁶ Should weaknesses be exposed in Design Excellence, it could be a costly and highly-visible mistake on the administration and on former Secretary Clinton in the lead up to the 2016 presidential election.

Risk Management

Pros

On the pros side, a risk management program is unlikely to face any political resistance, as it has been suggested by two highly influential security reports since the 2012 attacks, and has little to no opposition outside of the Department.¹⁴⁷ In addition, a risk management program would have significant support from the Department's Diplomatic

¹⁴⁵ "Testimony of Lydia Muniz Director, Bureau of Overseas Building Operations, U.S. Department of State: Before Committee on Oversight and Government Reform, U.S. House of Representatives." *U.S. Committee on Oversight and Government Reform*. July 10, 2014.

¹⁴⁶ Loeffler, Jane. "Beyond the Fortress Embassy." *The Foreign Service Journal*. December 2012 and "Testimony of Lydia Muniz Director, Bureau of Overseas Building Operations, U.S. Department of State: Before Committee on Oversight and Government Reform, U.S. House of Representatives." *U.S. Committee on Oversight and Government Reform*. July 10, 2014.

¹⁴⁷ "Diplomatic Security: Overseas Facilities May Face Greater Risks Due to Gaps in Security-Related Activities, Standards, and Policies." *Government Accountability Office*. June, 2014. Page 47

Security and the Government Accountability Office, who have both produced their own reports detailing the need to better assess risk.¹⁴⁸

A risk management system, which would allow for more informed decision-making, particularly when engaging in diplomacy in high threat areas, is unlikely to face any resistance or open the administration to criticism. On the contrary, managing risk as opposed to avoiding risk has been demonstrated by one of the Department-commissioned reports on security to be a far more effective means of preventing future security threats.¹⁴⁹

Members of Diplomatic Security will also support the program, as it has been part of their own recommendations, and allows them to have a voice when diplomats engage in high-risk operations. By allowing Diplomatic Security to weigh-in on high-risk diplomacy, the Department can ensure that security officials have had an opportunity to voice caution and suggest risk mitigation strategies, thus reducing the potential for disaster.¹⁵⁰

Cons

There is potential for resistance, however, from the diplomats within the Department who promote the use of “expeditionary diplomacy.”¹⁵¹ As former Secretary Clinton and

¹⁴⁸ Ibid and Green, Grant, and Melrose, Joseph and others. “Report on Diplomatic Security, Organization and Management.” *U.S. Department of State*. May 2013.

¹⁴⁹ Green, Grant, and Melrose, Joseph and others. “Report on Diplomatic Security, Organization and Management.” *U.S. Department of State*. May 2013. Page 19

¹⁵⁰ Sullivan, Mark, and Todd, Keil and others. “Report of the Independent Panel on Best Practices.” *U.S. Department of State*. August 29, 2013 Page 6.

¹⁵¹ Ambassador James R. Bullington. “Expeditionary Diplomacy and the Casamance Conflict.” *U.S. Department of State*. Sept. 9, 2013.

influential scholar Jane Loeffler might argue, based off of prior comments,¹⁵² the existence of significant risk cannot be a prohibiting factor by itself, as diplomats often need to take risks to show support for a local cause. Thus as these individuals would argue, having a restrictive risk management system could prevent diplomats from doing their job, particularly when a diplomat determines that the benefits of diplomacy outweigh the risks.

As former Secretary of State Hillary Clinton once indicated, one of the most important things a diplomat can do is to be present to show American support for local initiatives.¹⁵³ Such was the case when Ambassador Christopher Stevens, who while attempting to show support for a local cause, was killed in an attack on a poorly fortified facility. Thus despite security weaknesses, the Secretary may face resistance from diplomats who are concerned that a risk management policy will centralize decision-making.¹⁵⁴ And while security concerns may be valid, should this lead to missed opportunities in diplomatic relations, Secretary Kerry could face later criticisms both within and outside the Department regarding his failure to make significant trade or political diplomatic agreements due to an overly burdensome security process.

¹⁵² Ibid and Loeffler, Jane. "Beyond the Fortress Embassy." *The Foreign Service Journal*. December 2012.

¹⁵³ Ambassador James R. Bullington. "Expeditionary Diplomacy and the Casamance Conflict." *U.S. Department of State*. Sept. 9, 2013.

¹⁵⁴ Sullivan, Mark, and Todd, Keil and others. "Report of the Independent Panel on Best Practices." *U.S. Department of State*. August 29, 2013 Page 7.

Cyclical Funding

Pros

The greatest political benefit of the Capital Security Cost Sharing program is that it has bi-partisan support, having been sponsored by two separate legislative proposals, each from separate parties.¹⁵⁵ As security at our embassies became a hot-button issue, both parties have shown a willingness to increase funding to our embassies.¹⁵⁶ Therefore, supporting the authorization of this program is unlikely to face any near-term political resistance from Congress.

Both H.R. 2848, sponsored by Edward Royce (R-CA) and S.1386, sponsored by Senator Menendez (D-NJ) have included provisions which would extend additional funding to the Capital Security Cost Sharing program. Supporting either one is unlikely to provoke a political backlash from Congress, and this recommendation's suggestion that the Secretary choose S.1386 contains the added benefit of the sponsoring agent being from the Secretary's own Party.¹⁵⁷

Media and public opinion are also likely to favor the program, as much focus has been on Congress's failure to adequately fund State's ongoing attempts to secure its facilities.¹⁵⁸

¹⁵⁵ "H.R. 2848- Department of State Operations and Embassy Security Authorization Act: 113th Congress (2013-2014)." *Library of Congress*. and S.1386- Embassy Security, Threat Mitigation, and Personnel Protection Act of 2013: 113th Congress (2013-2014)." *Library of Congress*-Congress.gov.

¹⁵⁶ "Bipartisan Embassy Security, Threat Mitigation and Personnel Protection Act of 2013 Passes Senate Foreign Relations Committee" *U.S. Senate Committee on Foreign Relations*. Aug. 2, 2013 and "House Passes State Department Authorization Legislation Focusing on Embassy Security." *U.S. House Committee on Foreign Affairs*. Sept. 29, 2013.

¹⁵⁷ *United States Senator Robert Menendez Official Website*. Accessed Nov. 20, 2014.

¹⁵⁸ Bolton, Alexander. "GOP Cuts to Embassy Security Draw Scrutiny, Jabs from Democrats." *The Hill*. Sept. 18, 2012 and Bufkin, Sarah. "Jason Chaffetz Admits House GOP Cut Funding for Embassy Security: 'You Have to Prioritize Things.'" *The Huffington Post*. October 10, 2012.

Thus the Secretary should act now to support such legislation while intense scrutiny is focused on Capitol Hill.

Cons

As earlier described, Congressional resistance to the Secretary supporting legislation on this matter is expected to be minimal. However, agencies required to contribute to security costs under the program could become a new voice of criticism for how the Department chooses to secure its facilities. Moreover, as the program prioritizes funding for high-risk, high threat locations, the Secretary could face renewed criticism from contributing agencies who disapprove of Design Excellence architecture programs in those areas.¹⁵⁹



Current OBO policy is unclear as to how it will design future facilities in high threat locations. However, should the over 30 contributing agencies (see Figure 3) find that the Department is using costly and non-time effective architecture for these sensitive high threat locations, the Secretary could face significant criticism from a broad array of U.S. Departments and independent agencies.

In addition, as the *Government Accountability Office* reported back in 2004, frustrations already exist regarding how agency contributions are determined, and could be exacerbated if agencies do not believe their funds are being used effectively.¹⁶⁰ Thus using this program could limit some of the Department's options on how it chooses to

¹⁵⁹ "Are Modern U.S. Embassies Becoming Too Costly to Build?" *CBS News*. June 4, 2014.

¹⁶⁰ "Embassy Construction: Proposed Cost-Sharing Program Could Speed Construction and Reduce Staff Levels, but Some Agencies Have Concerns." *Government Accountability Office*. Nov. 15th, 2004. p. 12

secure its facilities, as contributing agencies may decide to publicly criticize Secretary Kerry regarding the use of its funds, thus potentially damaging the Secretary's long-term political legacy.

FY09 CSCS Charges By Agency

	Position Charges	ICASS	Rent Credit	Total
Agriculture Department	\$ 12,308,560	\$ 3,249,319	\$ (2,415,217)	\$ 13,142,662
American Battle Monuments Commission	860,496	225,166	(47,482)	1,038,180
Broadcasting Board of Governors	597,698	631,728	(253,949)	975,477
Commerce Department	24,820,030	5,655,386	(6,801,457)	23,673,959
Defense Department	126,296,094	28,738,650	(2,546,557)	152,488,187
Energy Department	726,828	295,006	(221,231)	800,603
General Services Administration	102,440	34,286	(9)	136,717
Health and Human Services Department	8,167,022	3,846,198	(1,896,220)	10,117,000
Homeland Security Department	22,413,094	5,745,651	(3,180,564)	24,978,181
ICASS	324,309,140	-	(18,936,197)	305,372,943
Interior Department	40,976	86,724	(8,603)	119,097
Justice Department	58,590,522	10,376,426	(1,631,063)	67,335,885
Library of Congress	5,015,620	379,607	(28,845)	5,366,382
Millennium Challenge Corporation	667,042	-	-	667,042
NASA	266,344	185,792	(118,908)	333,228
National Science Foundation	102,440	67,274	(102,627)	67,087
Nuclear Regulatory Commission	20,488	30,906	(63,925)	-
Open Source Center	4,785,816	635,973	(7,634)	5,414,155
Peace Corps	-	1,175,492	(19,566)	1,155,926
Social Security Administration	20,488	532,862	(7,443)	545,907
State Department	772,848,514	220,532,172	(25,697,027)	967,683,659
Transportation Department	1,946,360	676,311	(504,928)	2,117,743
Treasury Department	2,203,104	888,760	(90,447)	3,001,417
US Agency for International Development	126,817,174	20,817,796	(12,410,070)	135,224,900
US Trade and Development Agency	81,952	8,303	(56)	90,199
US Trade Representative	642,220	303,190	-	945,410
Veterans Affairs Department	4,503,420	167,062	(299)	4,670,183
Totals	\$ 1,499,153,882	\$ 305,286,040	\$ (76,990,324)	\$ 1,422,089,186
Total for agencies other than State Department		\$ 454,405,527		19

Figure 3: List of Agencies Contributing to the Cost Sharing Program¹⁶¹

Recommendation

In order to ensure future security to our embassies and consulates, the Secretary should use his executive authority to implement a standardized risk management program, formulated by OSPB, implemented by RSOs and local program managers, and submitted to the Undersecretary for Management. The OSPB should establish clear roles and responsibilities for implementation, and review its standards every 1-2 years. Furthermore, the Secretary should report to Congress annually on the number of high threat overseas posts.

¹⁶¹ "FY09 Capital Security Cost Sharing-Slide Presentation." *U.S. Department of State Archive*. Dec. 2008. Slide 19

Second, all new construction programs should be constructed using the above risk management program; those found to be at high-risk should not be considered for the Design Excellence program, but instead using the far more expedient and cost-effective Standard Embassy Design. Facilities should also be co-located when possible, to further save on costs and guarantee adequate security for all departments operating overseas.

And finally, support should be given to S.1386, which would authorize \$1.383 billion to the Capital Security Cost Sharing program for FY 2014, and ensure long-term costs for security upgrades are distributed amongst all agencies

Though the appearance and accessibility of the Design Excellence program has recently gained popularity within the Department, greater priority should be given to preventing another terrorist attack on our embassies before the 2016 presidential election. Thus while the Design Excellence program should be continued in highly-visible and strategically important trade sites—such as our embassies in Beijing, London and Mexico City— OBO should otherwise shift back to the SED program, particularly in high threat, high-risk locations. The SED program’s expediency and cost-effectiveness makes it ideal for upgrading our vulnerable facilities. Furthermore, by supporting this recommendation, which has support from Diplomatic Security and senior members of the House Oversight Committee, the Secretary will demonstrate that he is taking embassy security vulnerabilities seriously in the wake of attacks on Special Mission Benghazi.¹⁶²

¹⁶² Are Modern U.S. Embassies Becoming Too Costly to Build?” *CBS News*. June 4, 2014 and Green, Graham Jr. and Melrose, Joseph Jr. and others. “Report on Diplomatic Security Organization and Management.” *U.S. Department of State*. May 2013

Similarly, a standardized risk management program will allow our security experts a voice in diplomatic activities involving unnecessary risk. While not ideal for our efforts in expeditionary diplomacy, this program will ensure local RSOs and program managers can work together to mitigate or avoid high-risk activities at the earliest stages. By standardizing our risk management system and assigning clear roles of responsibility, the program should allow local diplomats and security officers to make objective decisions regarding the costs and benefits of a particular diplomatic endeavor. The potential for missed short-term trade or political achievements should not excuse inadequate risk assessments, particularly when the threat of future injury or death is high.

Finally, the Capital Security Cost Sharing program should be supported to help prevent another gradual decline in security funding. By distributing costs amongst participating departments, the program is less likely to face sharp congressional budget cuts during periods of budget wrangling. And while Congressional funding may ebb over time, it should not prevent the Secretary from supporting proposed increases to our security budget while attention is turned our way following recent attacks. Similarly, while the over 30 participating agencies may criticize our use of security funds, their distributed contributions toward funding high threat diplomatic facilities is necessary to help prevent another cyclical budget lull in our annual appropriations.

Appendix-A

Abbreviations

CSCS- Capital Security Cost Sharing
 SED- Standard Embassy Design
 DE- Design Excellence
 OBO- Bureau of Overseas Building Operations
 FSO- Foreign Service Officer
 RSO- Regional Security Officer

Appendix -B

Bureau of Overseas Building Operations – Completed Facilities since 2001 (88 facilities)¹⁶³

Abidjan, Cote D'Ivoire	Abu Dhabi, United Arab Emirates	Abuja, Nigeria
Accra, Ghana	Accra, Ghana (USAID)	Algiers, Algeria
Addis Ababa, Ethiopia	Antananarivo, Madagascar	Astana, Kazakhstan
Athens, Greece Annex	Baghdad, Iraq	Baghdad, Iraq (IOB)
Bamako, Mali	Bamako, Mali, (USAID)	Bandar Seri Begawan, Brunei
Beijing, China	Belmopan, Belize	Berlin, Germany
Bern, Switzerland	Bogota, Colombia Annex	Bogota, Colombia (IOB)
Brazzaville, Republic of Congo	Bridgetown, Barbados	Bucharest, Romania
Cape Town, South Africa	Conakry, Guinea	Conakry, Guinea (USAID)
Ciudad Juarez, Mexico	Dar es Salaam, Tanzania	Dar es Salaam, Tanzania (USAID)
Dili, East Timor (IOB)	Djibouti, Djibouti	Doha, Qatar
Dubai, United Arab Emirates	Dushanbe, Tajikistan	Frankfurt, Germany
Freetown, Sierra Leone	Istanbul, Turkey	Jerusalem, Israel
Johannesburg, South Africa	Johannesburg, South Africa Warehouse	Kabul, Afghanistan
Kabul, Afghanistan (ARG/USAID)	Kampala, Uganda	Kampala, Uganda (USAID)
Karachi, Pakistan	Kathmandu, Nepal	Kathmandu, Nepal (USAID)
Khartoum, Sudan	Kigali, Rwanda	Kingston, Jamaica
Kingston, Jamaica (USAID)	Kolonia, Federated States of Micronesia	Koror, Republic of Palau
Kyiv, Ukraine	Lima, Peru (USAID)	Lome, Togo
Luanda, Angola	Lusaka, Zambia	Managua, Nicaragua
Managua, Nicaragua (USAID)	Monrovia, Liberia	Mumbai, India
Nairobi, Kenya	Nairobi, Kenya (USAID)	Ouagadougou, Burkina Faso
Panama City, Panama	Phnom Penh, Cambodia	Phnom Penh, Cambodia (USAID)
Port au Prince, Haiti	Quito, Ecuador	Rangoon, Burma
Riga, Latvia	São Paulo, Brazil	Sarajevo, Bosnia and Herzegovina
Skopje, Republic of Macedonia	Sofia, Bulgaria	Suva, Fiji
Tashkent, Uzbekistan	Tbilisi, Georgia	Tbilisi, Georgia (USAID)
Tijuana, Mexico	Tirana, Albania Annex	Tunis, Tunisia
Valletta, Malta	Yaoundé, Cameroon	Yerevan, Armenia
Zagreb, Croatia		

¹⁶³ “Embassy Security, Construction and Maintenance.” *U.S. Department of State Documents*. Available Online. 2013

Sites undergoing construction/design¹⁶⁴

(41 facilities)

Abuja, Nigeria (NOX)	Baghdad, Iraq Prosperity	Baghdad, Iraq Embassy West
Baghdad, Iraq Sather (IOB)	Baghdad, Iraq Shield (IOB)	Basrah, Iraq (IOB)
Beijing, China (Annex)	Belgrade, Serbia	Bishkek, Kyrgyzstan NOX
Bujumbura, Burundi	Caracas, Venezuela MSGQ	Dakar, Senegal
Erbil, Iraq (IOB)	Guangzhou, China	Guayaquil, Ecuador
Herat, Afghanistan IOB	Islamabad, Pakistan	Jakarta, Indonesia (swing space)
Jeddah, Saudi Arabia (NEC/Housing)	Kabul, Afghanistan NOX	Kyiv, Ukraine (USAID)
Libreville, Gabon	London, United Kingdom (Design)	Malabo, Equatorial Guinea
Manila, Philippines (Annex)	Mazar-E-Sharif, Afghanistan IOB	Monterrey, Mexico NCC
Moscow, Russia	Muscat, Oman MSGQ	Niamey, Niger MSGQ
Oslo, Norway (NEC)	Ouagadougou, Burkina-Faso MSGQ	Port-au-Prince Housing
Port Moresby, Papua New Guinea SSmC	Rabat, Morocco	Sana'a, Yemen (Annex/Housing)
Santo Domingo, Dominican Republic	Surabaya, Indonesia	Surabaya, Indonesia (Warehouse)
Taipei, Taiwan (Phase I)	Vientiane, Laos	

- Anticipate awarding contracts for 6 new facilities in FY 2012:

Cotonou, Benin (NEC)	Jakarta, Indonesia (NEC)	Jeddah, Saudi Arabia (NCC restart)
Mbabane, Swaziland (NEC)	Monterrey, Mexico (MSGQ)	Taipei, Taiwan (Phase II)

- Anticipate awarding contracts for 3 new facilities in FY 2013:

N'djamena, Chad (NEC)	Paramaribo, Suriname NEC	The Hague, Netherlands (NEC)
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¹⁶⁴ “Embassy Security, Construction and Maintenance.” *U.S. Department of State Documents*. Available Online. 2013

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EDUCATION

Johns Hopkins University

Master of Arts in Public Management

*Concentrations: Public Policy Evaluation and the Policy Process,
Economics for Public Decision Making, Financial Management and Analysis
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The University of Scranton

B.S. in International Relations, Minor in Mandarin Chinese

*Concentrations: Modern China, Comparative Government,
American National Government*

The Beijing Center for Chinese Studies, Study Abroad

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China's Political and Economic Reform, Intensive Advanced Chinese*

WORK EXPERIENCE

U.S. Department of Justice Paralegal, Washington, D.C.

- Assist attorneys throughout the criminal investigation process in collaboration with federal agents
- Manage case records and discovery using extensive database records
- Draft and formulate federal subpoenas, discovery letters, and exhibit lists
- Reviewed and drafted Public Integrity Section 2014 Annual Report to Congress

U.S. Peace Corps Volunteer, Sichuan, China.

- ♦ University foreign language instructor in rural China
- ♦ Facilitated the Peace Corps rural teaching project of 600+ primary teachers
- ♦ Chief Coordinator for Peace Corps China volunteer support group serving over 130 Volunteers

U.S. House of Representatives, Washington, DC.

- ♦ Handled all inquiries and communications with constituent callers
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University College Dublin China Institute Executive Assistant. Dublin, Ireland.

- ♦ Administered office clerical functions
- ♦ Organized travel and student records

University Of Scranton Office of Study Abroad Administrative Assistant, Scranton, PA.

- ♦ Advised students on study abroad application procedures
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Vinson & Elkins Legal Intern. Shanghai, China.

- ♦ Conducted research and prepared memorandums regarding various firm initiatives including Taiwan's China Petroleum Corp. and China's 2007 Labor Law,
- ♦ Observed firm-clientele relations along with practical business practices in China.

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- ♦ *U.S. Justice Department Assistant Attorney General's Award for Distinguished Service*
- ♦ *U.S. Peace Corps Chinese Language Proficiency Score: Advanced*
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